

1904-622 Chancery Causes: George Davis vs. Bettie Davis
Lee Co.

Coomer, Bush, Bowen

CA-Divorce
T-Vices

To the Hon.H.A.W.Skenn,Judge of the Circuit Court for Lee County:

Humbly complaining,your orator,George Davis,a citizen of Lee County,Virginia,respectfully represents unto your honor;that he and one Bettie Coomer,was duly married to each other,on or about the _____ day of _____,1905;that after their said marriage they lived together and cohabited together as man and wife until about the _____ day of _____,190____ that he is now and has been for more than a year previous to this date a resident^{and citizen} of this State and county;that the said Bettie Davis is now and has been for several years a resident of this State and county;that after the marriage of your complainant and the said Bettie,she the said Bettie without the knowledge, consent,procurement and connivance of your orator became untrue to him,by having carnal intercourse with one Bud Bush, at various and divers times,beginning soon after their said marriage, and continuing the same on down to the present,and also by having carnal intercourse at various other times and places with divers other person unknown to your orator;that the adulterous acts of the said Bettie with the said Bush were committed in this county in the river ridge south of the town of Olinger.

Your orator will further show unto your honor,that as soon as he learned or heard of the infidelity of his said wife,he investigated the truth of the reports,and to his shagrin and sorrow he found that they were true and that she as aforesaid been guilty of adultery by having carnal intercours with the said Bush and others whom he could not learn the names of~~xxx~~;that the said adulterous acts of his said wife were committed within the last next three preceeding years;and that as soon as he found out the truth of the reports on her,he left her and has not since lived with,nor cohabited with her,nor in any way condoned her said offense.

The premises considered,your orator is advised that he is entitled to have your honor's court grant him an absolute di-

vorce for ever dissolving the bonds of matrimony now existing between him and her; that, however, he is remediless in the premises save in a court of equity; and ~~he~~ his prayer therefore, is that your honor take cognizance of his said cause of complaint; that the said Bettie Davis be made a party defendant to this bill; that she be required to answer the same, but she need not do so on oath as that is waived; that on the coming of the proof in this cause, he be granted a divorce a vinculo matrimonii from the said Bettie; and that all other, further and general relief be awarded to your orator that the nature of ~~xxx~~^{his} cause may require to meet good conscience and equity. And he will ever pray, etc.

Samuel Brown Jr.

George Davis

vs } Bill

Bettie Davis

1906 2nd Nov. Rules

Bill filed & Spa.
executed.

" 1st Dec. Rules.

Cause set for
hearing.

Costs:

Clerk. \$3.64

Shff. --- 1.00

Atty. --- 15.00

--- 1.50

--- 5.00

Comm. \$26.14

George Davis, Plaintiff.

vs.

In Chancery.

Bettie Davis, Defendant.

This cause came on this the 11th day of December, 1906 to be heard upon the bill of the complainant, and the deposition of witnesses and was argued by counsel.

On consideration of all which and it appearing to the Court that process in this cause was duly served before the 2nd. ^{of} ~~the~~ November, Rules, 1906 and for more than fifteen days before ^{the} 1st day of this term of the Court, and said defendant failing to appear herein, it is adjudged ordered and decreed that the bonds of matrimony be and the same is hereby forever dissolved between said plaintiff and defendant, and the said plaintiff is hereby awarded a divorce a vinculo matrimony from the said defendant.

And it is further ordered that said plaintiff recovered from said defendant his costs; and this cause is stricken from the docket.

George Davis.

Vs. Decree Final.

Bettie Davis.

*Entered in C.O.B.
#8, page 231 &c.*

Enter this Dec., 11, 1906.

J. A. W. Shaver

Judge.

1900 to 10

To Bettie Davis:

Take notice that on the 27th day of November, 1906, at the store house of James H. Reasor, in the town of Olinger, in Lee County, Virginia, and between the hours of Nine A.M. and 4. P.M. of that day, I will proceed to take the depositions of Of Frank Bush and others to be read as evidence in my behalf, in a certain suit in chancery now pending in the Circuit Court for Lee County, Virginia, wherein I am plaintiff and you are defendant; and if from any cause the taking of said depositions be not commenced or if commenced be not concluding on that day, the taking thereof will be adjourned from day to day and from time to time and from place to place, between the same hours until the same are completed.

This the 15th day of November, 1906.

Yours very truly,

Georeg Davis.

Pennington Bros. P. Q.

Bettie Davis could not be found at her usual place of
abode on the 15th day of November, 1906, so the within no-
tice was executed on said Nov., 15, 1906, within the county
of Lee, by delivering a true copy of the same in writing,
and giving information of its purport to Jack Coomer, a
member of said Bettie Davis' family, and ^{who} was found at Bettie
Davis' usual place of abode, and who is a member of said
Bettie's family, and above the age of Sixteen years.

J. H. Hughes D.S.

For P.M. Ball, S.L.C.

Nov 15 1906

George Davis

vs. } notice

Bettie Davis

Executed on the
day of Nov.,
1906, by deliver-
ing a true copy
of the within no-
tice to Bettie
Davis

D.S.
for P.M. Ball
S.L.C.

George Davis, Plaintiff

Vs.

Bettie Davis, Defendant.

The depositions of Susan Coomer, and Sam Coomer
and James Bowen

taken before me, W.K. Hopkins, a commissioner in chancery for the Circuit court for Lee County, at the store house of James H. Reason, in the town of Olinger, in Lee County, Virginia, on the 27th day of November, 1906, and between the hours of Nine A.M. and Four P.M. of that day, and pursuant to the notice hereto attached, which depositions are to be read as evidence in behalf of George Davis, the plaintiff in this case, wherein the said George Davis is plaintiff and Bettie Davis is defendant.

Present, E.W. Pennington, attorney for the said plaintiff;
" " " " Defendant.

The witness Susan Coomer, after being duly sworn deposes as follows, to-wit:

Q. 1. Give your name, age and residence.

Ans. My name is Susan Coomer; I am 26 years old; and reside in Lee county, Virginia, in the Turkey Cove country.

Q. 2. State whether you are acquainted with George Davis, the plaintiff in this case, and Bettie Davis the defendant in this case? If so, how long have you known them?

Ans. I am acquainted with said parties. I have known them for about all their lives.

Q. 3. Where does George and Bettie Davis live?

Ans. They live in Lee County, Virginia, near the town of Olinger, and have so lived about all their lives. They were raised in this neighborhood. They have lived and resided in this county for more than a year previous to the institution of this suit.

Q. 4. Did you see George Davis and said Bettie married? if so, about when was it they married to each other?

Ans. I saw them married. ~~xxxxxx~~ they married in this county,

county, about July, 1905.

Q.5. Are said George Davis and Bettie Davis now living together as man and wife? If not, about how long since they have lived together as man and wife, if you know?

Ans. They are not now living together as man and wife. It has been a good while since they lived together; it has been some eight or ten months since they have lived together as man and wife.

Q 1Q. 6. Did you ever see any improper conduct out of the said Bettie Davis, since she and the said Gorege Davis Married to each other, if so, tell what it was and when it was?

Ans. About last February or March, 1906, I was at Cass Bushes house, staying all night; Mr. Bush was sick with fever, and I was there that night sitting up with them. Said Bettie Davis was also there. Some time in the night, Bettie Davis asked me to go out doors with her; but I told I did not want to go out; so she went out, however, by herself. But before she went out of the house, I noticed Crit Barker go out of the house, and pretty soon she followed him. That aroused my suspicions that something was wrong, so in a few minutes after she went out of the house, Cass Bushes wife and I went to the door, and there we saw said Bettie Davis standing near the corner of the house, with her clothes up above her waist; and Crit Barker standing also against her with his arms around her. We watched them a minute or so, and then we went back into the house, and left her and Crit out there. In about a half-of an hour she came back into the house, but Crit did not come in. After she came back into the house, I told her what I had seen, and shamed her for her conduct, but she just hung her head and said nothing. I think this was about midnight.

Q.7. State whether the said George Davis and Bettie Davis have lived together as man and wife since you saw the things above mentioned by you?

Ans. They have not lived together since that time. Before the night I speak of in answer to question 6, I had heard of bad talk

about said Bettie Davis, and at that time I don't think George and her were living together; I think they had separated some little time before that.

Q. 8. State whether the acts about which you have told in answer to question 6 were brought about the procurement, connivance or consent of the said George Davis?

Ans. I don't have any idea they were brought about the consent of the said George. I don't have any idea he knew any thing about it at that time. I think he was at Blackwood in Wise county at the time of the said occurrence.

Q. 9. Where is the said Bettie Davis now if you know.

Ans. She is at her father's, -in the Turkey Cove country, in this county.

And further this deponent saith not.

Susan ^{the} Coomer
mark

Sam Coomer, another witness after being duly sworn, deposes as follows:

Q. 1. Give your name, age residence and occupation?

Ans. My name is Sam Coomer. I am 36 years old; I reside in Lee county, Virginia, in the Turkey Cove Country, and am a farmer.

Q. 2. State whether you are acquainted with George Davis and Bettie Davis, the parties to this suit? If so, how long have you known them.

Ans. I am acquainted with both of said parties, ever since they were kids.

Q. 3. Where does George Davis now live and reside, and how long has he been so residing?

Ans. He resides in Lee County, Virginia; and made at and around Olinner, his home all his life. He has so lived for more than a year previous to Nov. 1st, 1906.

Q. 4. State whether you ever saw any improper conduct out of the said Bettie Davis? If so, tell what it was you saw, and when. tell

all about it?

Ans. Along about the last of February, 1906, one night going from church at the Seminary in this county, I saw said Bettie Davis and Crit Barker going along with his arm around her; they were talking and having a good time. Then in a few nights after this, I saw Adern Kelly going along with his arms around her.

Q. 5. State whether the said George Davis and Bettie Davis are now living together? If not, about how long have they been separated?

Ans. They are not living together now; they have been separated ever since about Jan., 1906.

And further this deponent saith not.

his
Sam Coomer
mark

James Bowen, another witness after being duly sworn, deposes as follows:

Q. 1. Give your name, age, residence and occupation?

Ans. My name is James Bowen; I am 20 years old; I reside in this county in the Turkey Cover country. I am a farmer.

Q. 2. State whether you are acquainted with George Davis and Bettie Davis, the parties to this suit? If so, how long have you known them.

Ans. I am acquainted with said parties. I have mostly been raised with them. They both live in this county, and have been living in it ever since I can remember.

Q. 3. State whether you ever saw any improper conduct out of the said Bettie Davis? If you say you did, tell what it was you saw, when and all about it?

Ans. Some three weeks ago, I was staying all night at Cass Bushes; and along a little while before day, said Bettie Davis and Frank Bush came in from ^{some} where together. There was no one with them when they came in at Cass Bushes, that I saw. I stayed there until

until after breakfats, and so did they. I left them there. They did not say where they had been when they came in. They had not stayed all night at Cass Bushes that night. They had stayed some where else.

And further this deponent saith not.

James Bowen
deponent

I hereby certify that the foregoing depositions of Susan Coomer, Sam Coomer and James Bowen were taken, subscribed and sworn to before me at the time and at the place mentioned in the caption. Witness my hand this the 27th. day of November, 1906.

W. H. Hopkins Commissioner in
Chancery.

George Davis
vs { deposition
Bettie Davis

Filed Dec. 1, 1906.
H. C. T. Ewing,
Clerk.

Commissioners fee \$5.00

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *Bettie Davis*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on
the *3rd* Monday in *November*, 190*6*, to answer a bill in chancery exhibited against *her*
in our said Court by George Davis

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *13*th
day of *Nov*, 190*6* and 1 *31*st year of the Commonwealth.

A Copy, Teste:

H. C. T. Ewing, Clerk.

_____, Clerk.

The said Bettie Davis could not be found at her usual place of abode, on Nov., 15th, 1906, so the within summons was executed on said Nov., 15th, 1906, by delivering a true copy of the same within Lee County, Va., in writing, and giving information of its purport to Jack Coomer, who was found at said Bettie Davis' usual place of abode, and who is a member of said Bettie's family, and above the age of sixteen years.

J. L. Hughes D.S.

For P.M. Ball, S.L.C.

George Davis

SUBPOENA
IN
CHANCERY.

VS

Bettie Davis

Pen. Proc., p. 9

To 2nd Nov. Rules.

Circuit Court.

1906.